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10/802,661	03/17/2004	Robert Dant	23515-3001	2661
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EXAMINER				
RAYYAN, SUSAN F				
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**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

### Office Action Summary

**Application No.**

10/802,661

**Applicant(s)**

DANT, ROBERT

**Examiner**

SUSAN FOSTER RAYYAN

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 10 March 2008.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-31, 46-49 and 51-58 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-31, 46-49, 51-58 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/S508)  
Paper No(s)/Mail Date \_\_\_\_\_

- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

**DETAILED ACTION**

1. Claims 1-31, 46-49 and 51-58 are pending.

***Claim Rejections - 35 USC § 101***

2. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

the claimed invention is directed to non-statutory subject matter.

Claims 1-31, 46-49 are rejected as being directed to non-statutory subject matter.

Claim 1 is directed to a database communication network comprising a first database system, a second database system and an identification .The specification does not specify the first database system, a second database system and an identification system as hardware. At least one of the claimed elements of an apparatus claim must include physical hardware. Therefore the claims are viewed as software per se.

Claim 30 is directed to a database system comprising: a database, a matching component. The specification does not specify the database and matching component as hardware. At least one of the claimed elements of an apparatus

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claim must include physical hardware .Therefore the claims are viewed as software per se.

Claim 46 is directed to a database communication network comprising:  
a first database, a second database and identification system. The specification does not specify the first database system, a second database system and an identification system as hardware. At least one of the claimed elements of an apparatus claim must include physical hardware .Therefore the claims are viewed as software per se.

Claim 47 is directed to a communication network comprising::  
a database a server, a connection component and at least one external system. The specification does not specify a database a server, a connection component and at least one external system as hardware. At least one of the claimed elements of an apparatus claim must include physical hardware .Therefore the claims are viewed as software per se.

### ***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which

said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

**Claims 1-31, 46-49, 51-58 are rejected under 35 U.S.C. 103(a) as being unpatentable over Applicants Admissions ("Dant") and WO 93/23817 issued to Timothy Shear.**

**As per claim 1** Dant teaches A database communication network (Figure 1, prior art) comprising:

a first database system (figure 1, ref.no, 10 (first application system) and ref.no. 18 (first database);

a second database system in communication with the first database system (figure 1, ref.no. 34(second application system) and ref. No. 42 (second database) and ref.no. 22, messaging system).

Applicant does not explicitly teach an identification system in communication with each of the first and second database systems, the identification system configured to assign unique identification to data stored within each of the first and second database systems, wherein the first database system, second database system. and identification system are configured to support direct and indirect communication. Shear does teach an identification system in communication with each of the first and second database systems (page 6, lines 12-28, computer system 12 and computer system 14 and message between computer system 12,14) , the identification system configured to provide a database identification to each of the first and second database systems (page 9, lines 1-12, translator system receives message from fist

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computer system and converts to a format for second computer system to communicate message) , wherein the first database system, second database system, and identification system are configured to support direct and indirect communication (see figures 6-7). It would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify the Applicants' admissions with Shear to effectively communicate between two disparate computer systems as described by Shear (page 9, lines 11-12).

**As per claim 2** same as claim arguments above and Shear teaches:

wherein the unique identification of the data includes providing a first unique database identification schema to databases within the first database system and providing a second unique database identification schema with the second database system (page 9, lines 1-12, translator system receives message from first computer system and converts to a format for second computer system to communicate message).

**As per claim 3** same as claim arguments above and Shear teaches:

wherein the first and second unique database identifications schema result in the identification systems attaching unique identification for each record existing in the database communication network (page 9, lines 1-12, translator system receives message from first computer system and converts to a format for second

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computer system to communicate message).

**As per claim 4** same as claim arguments above and Shear teaches:

wherein the first database system comprises: a first database; and a first server configured to receive first information from the first database and transmit the first information out of the first database system (page 9, line 2, as server 22).

**As per claim 5** same as claim arguments above and Shear teaches:

wherein the first server comprises a first communication component configured to identify a database system in communication with the first database system to receive the first information (page 9, line 2, as server 22).

**As per claim 6** same as claim arguments above and Shear teaches:

wherein the first server comprises a first translation component configured to translate the first information into a format compatible with any database system in communication with the first database system (page 9, lines 1-12, translator system receives message from first computer system and converts to a format for second computer system to communicate message).

**As per claim 7** same as claim arguments above and hear teaches:

wherein the first translation component comprises:  
a first dictionary component comprising format information for any database

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system in

communication with the first database system (page 1, lines 18, dictionary) and a first translator component configured to utilize format information from the first dictionary component to translate the first information into a format compatible with any database system in communication with the first database system (page 3, lines page 6, lines 17-20, transform message from a first format to a second format and page 9, lines 1-12, translator system receives message from first computer system and converts to a format for second computer system to communicate message).

As per claim 8 same as claim arguments above and Shear teaches:

comprising a first matching component in communication with the first database, the first matching component configured to receive information regarding an expected first transaction and compare the information regarding the expected first transaction with information regarding an actual first transaction at the first database (archiving system, figure2).

**As per claim 9** same as claim arguments above and Shear teaches:

wherein the first matching component is further configured to cause a first matching notification to be transmitted out of the first database system if the information regarding the expected first transaction matches the information regarding the actual first transaction (archiving system, figure2).



**As per claim 10** same as claim arguments above and Shear teaches:

wherein the first matching component is further configured to cause a first non-matching notification to be transmitted out of the first database system if the information regarding the expected first transaction does not match the information regarding the actual first transaction (archiving system, figure2).

**As per claim 11** same as claim arguments above and Dant teaches:

wherein the second database system comprises: a second database (Figure 1, ref.no. 34, (second application system), ref.no.42, (second database).

And a second server configured to receive second information from the second database and transmit the second information out of the second database system (Figure2, ref.no. 66 (web service)).

**As per claim 12** same as claim arguments above and Dant teaches:

wherein the second server comprises a second communication component configured to identify a database system in communication with the second database system to receive the second information (Figure2, ref.no. 66 (web service)).

**As per claim 13** same as claim arguments above and Shear teaches:

wherein the second server comprises a second translation component configured to translate the second information into a format compatible with any database system in communication with the second database system (page 9, lines 1-12, translator system receives message from first computer system and converts to a format for second computer system to communicate message).

**As per claim 14** same as claim arguments above and Shear teaches:

wherein the second translation component comprises:

a second dictionary component comprising format information for any database system in communication with the second database system (page 1, lines 18, dictionary); and

a second translator component configured to utilize format information from the second dictionary component to translate the second information into a format compatible with any database system in communication with the second database system (page 3, lines 17-20, transform message from a first format to a second format and page 9, lines 1-12, translator system receives message from first computer system and converts to a format for second computer system to communicate message).

**As per claim 15** same as claim arguments above and Shear teaches:

further comprising a second matching component in communication with the

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second database, the second matching component configured to receive information regarding an expected second transaction and compare the information regarding the expected second transaction with information regarding an actual second transaction received at the second database (archiving system, figure2).

**As per claim 16** same as claim arguments above and Shear teaches:

wherein the second matching component is further configured to cause a second matching notification to be transmitted out of the second database system if the information regarding the expected second transaction matches the information regarding the actual second transaction (communication server figure 2).

**As per claim 17** same as claim arguments above and Shear teaches:

wherein the second matching component is further configured to cause a second non-matching notification to be transmitted out of the second database system if the information regarding the expected second transaction does not match the information regarding the actual second transaction (communication server figure 2)..

**As per claim 18** same as claim arguments above and Dant teaches:

first external system in communication with the first database system (Figure1).

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**As per claim 19** same as claim arguments above and Dant teaches:

wherein the first database system further comprises a first connection component in communication with the first database and the first external system (Figure1).

**As per claim 20** same as claim arguments above and Shear teaches:

: a first gathering component in communication with the first connection component, the first gathering component configured to receive external data and transmit the external data to the first connection component and at least one first external file in communication with the first gathering component, the at least one first external file configured to provide the external data to the first gathering component (figure 8, messaging system, 36).

**As per claim 21** same as claim arguments above and Shear teaches:

a first delivery component in communication with the first connection component, the first delivery component configured to receive data from the first connection component and transmit the data at least one first external file in communication with the first delivery component, the at least one first external file configured to receive the data from the first delivery component (data interchange system, figure 1, ref.no. 10).

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**As per claim 22** same as claim arguments above and Dant teaches:

further comprising a second external system in communication with the second database system (figure 1).

**As per claim 23** same as claim arguments above and Shear teaches:

wherein the second database system further comprises a second connection component in communication with the second database and the second external system (page, 3, lines page 6, lines 17-20, transform message from a first format to a second format and page 9, lines 1-12, translator system receives message from fist computer system and converts to a format for second computer system to communicate message).

**As per claim 24** same as claim arguments above and Shear teaches:

a second gathering component in communication with the second connection component, the second gathering component configured to receive external data and transmit the external data to the second connection component; and at least one second external file in communication with the second gathering component, the at least one second external file configured to provide the external data to the second gathering component (figure 8, messaging system, 36) .

**As per claim 25** same as claim arguments above and Shear teaches:

a second delivery component in communication with the second connection component, the second delivery component configured to receive data from the second connection component and transmit the data and at least one second external file in communication with the second delivery component, the at least one second external file configured to receive the data from the second delivery component(data interchange system, figure 1, ref.no. 10).

**As per claim 26** same as claim arguments above and Shear teaches:

a first transmission tracker file in communication with the first server, the first transmission tracker file configured to receive the first information that could not be transmitted out of the first database system and a first transmission time tracking component in communication with the first transmission tracker file, the first transmission time tracking component configured to track a period of time that the first information could not be transmitted, the time tracking component further configured to transmit a message to an administrator after a predefined period of time (external gateway agent figure 5).

**As per claim 27** same as claim arguments above and Shear teaches:

a first application tracker file in communication with the first server, the first application tracker file configured to receive information that could not be applied to the first database and a first application time tracking component in

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communication-with the first application tracker file, the first application time tracking component configured to track a period of time that the information could not be applied, the time tracking component further configured to transmit a message to an administrator after a predefined period of time(external gateway agent figure 5).

**As per claim 28** same as claim arguments above and Shear teaches:

a second transmission tracker file in communication with the second server, the second transmission tracker file configured to receive second information that could not be transmitted out of the second database system and a second transmission time tracking component in communication with the second transmission tracker file, the second transmission time tracking component configured to track a period of time that the second information could not be transmitted, the second time tracking component further configured to transmit a message to an administrator after a predefined period of time(external gateway agent figure 5).

**As per claim 29** same as claim arguments above and Shear teaches:

an second application tracker file in communication with the second server, the second application tracker file configured to receive information that could not be applied to the second database and a second application time tracking component in

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communication with the second application tracker file, the second application time tracking component configured to track a period of time that the information could not be applied, the second application time tracking component further configured to transmit a message to an administrator after a predefined period of time(external gateway agent figure 5).

4. **Claims 30-31, 46-49, 51-58** are rejected based on the same rationale as claims 1-29.

#### ***Response to Arguments***

5. Applicant's arguments filed March 10, 2008 have been fully considered but they are not persuasive.

Applicant's arguments with regard to the 35 USC 101 rejections are not persuasive. Rejection is maintained. See rejection above.

Applicant argues prior art of record does not teach assigning unique identification to data at page 9, lines 1-12, translator system receives message from fist computer system and converts to a format for second computer system to communicate message to include unique identification.

In response to applicant's argument that the references fail to show certain features of applicant's invention, it is noted that the features upon which applicant relies (i.e., " identification system and application of the identification schema to a



database system", "assign identification to the entire database system and the data contained therein before any communication takes place") are not recited in the rejected claim(s). Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).

Applicant argues the first database system, second database system, and identification system are configured to support direct and indirect communication. Shear teaches this at (figures 1-2, 6-7).

### ***Conclusion***

6. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

**Contact Information**

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Susan Rayyan whose telephone number is (571) 272-1675. The examiner can normally be reached M-F: 8am - 4:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Cottingham can be reached on (571) 272-7079. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Susan Rayyan

July 7, 2008

/John R. Cottingham/

Supervisory Patent Examiner, Art Unit 2167